

The Lancaster News.

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NEGROES TARGET OF LEGISLATION

Fortner's Bill Sent to the Senate by the House.

FINAL VOTE WAS 62 TO 40.

Measure Prohibiting White People from Teaching Blacks Precipitates Hottest Fight of Session.

Columbia, Jan. 27.—The hottest fight of the present session was precipitated in the house this morning on the passage of the Fortner bill prohibiting white people from teaching in negro schools or negroes from teaching in white schools under penalty of a fine not exceeding \$500 or imprisonment for not more than 12 months. The bill was passed to third reading after a battle royal led by the Charleston delegation.

The measure was amended without a dissenting vote to make the same penalty applicable to "the intimacy of the races in houses of ill repute." Another amendment was passed prohibiting white nurse from working in negro hospitals. A third amendment made the bill inapplicable to the teaching of the Bible to negroes by white people.

By a vote of 59 to 39, the house refused to strike out the enacting words of the Fortner bill. It is doubtful whether there was any such overwhelming sentiment in favor of the passage of the bill in the house as this vote would indicate. The measure had been recommended by the governor in his message, but beyond question more than 38 members of the house did not believe the measure expedient, voting for it because they feared the accusation in the future that they were "nigger lovers." The administration and anti-administration lines were not drawn in the vote to strike out the enacting words.

HOW THEY VOTED.

The vote resulted as follows: Ayes—Atkinson, Barnwell, Bethea, Bolt, Boyd, Brice, Busbee, Charles, Clement, Courtney, Dantzier, DeLaughter, Evans, Greer, Huter, Johnston Kirk, Lee Liles, Lumpkin, McMaster, McQueen, Means, Melfi, Nicholson, Pegues, Riddle, Rittenberry, W. M. Scott, Senseney, Shirley, Smiley, Thompson, Tindal, Vanderhorst, C. T. Wyche, Youmans, Zeigler—38. Nays—Speaker Smith, Addy, J. W. Ashley, M. J. Ashley Blackwell, Bowers, Browning, Burgess, Cross, Daniel Fortner Friday, Gasque, Goodwin, Gray, Haile, Hall Hardin, Harrelson, Harrelson, Harvey, Holley, Hutson, Irby, James, Jones, Kelley Kennedy, Kirby, Lybrand, McDonald, Miley, Miller, Mixson, Moore Moseley, Murray, Nelson, Odom, Pyatt, Ready, Riley, Robertson, W. S. Rogers, Jr., Sapp, W. W. Scott Sherwood, Stantley Strickland, Sturkie Summers, Walker Warren, Welch, White, Whitehead, Wilburn, C. C. Wyche—59.

FEAR SOCIAL EQUALITY.

The fight over the passage of the Fortner bill, taken up out of its order yesterday at 11 o'clock was opened by speeches from Mr. Fortner, Mr. J. W. Ashley and Mr. James, all of whom urged the passage to the bill chiefly on the grounds that white teachers in negro schools made for social equality.

Mr. Liles, of Orangeburg, opposed the passage of the bill on the grounds that white men should be allowed to manage negroes in their schools just as they managed them in the fields. He said, however, that he would be in favor of the bill if it prohibited white women from teaching in negro schools.

Mr. Barnwell, of Charleston, in whose county about 50 white women teach in negro public schools, said that he attributed the lack of friction between the races in the low country to the fact that the negroes were taught by white people early in life to respect the white race. Mr. Barnwell opposed the passage of the Fortner bill.

MR. WYCHE, OF NEWBERRY.

Mr. Wyche, of Newberry, spoke against the passage of the bill. Who but the white, he asked shall teach the negro his proper position?

Mr. White, of Charleston advocated the passage of the bill and Mr. Vanderhorst, of Charleston, opposed it.

By a vote of 59 to 39, the house refused to strike out the enacting words of the bill.

The house refused by a vote of 40 to 40 to agree to the amendment exempting Charleston county from the provisions of the bill. Then the Charleston delegation started a filibuster to obstruct the passage of the bill. The delegation was ably seconded by several members of the house, and the bill hung fire for about an hour before it finally passed to third reading.

AMENDMENT REJECTED.

By a vote of 65 to 34 the house refused to adopt the amendment offered by Mr. Stanley of Horry, an advocate of the bill, to make the measure apply to negro waiters, negro nurses in private houses, negro servants in hospitals and negroes working in the same establishments in which white women are employed.

By a vote of 41 to 41 the house refused to reconsider the motion whereby it refused to exempt Charleston county.

Hunter, of Bamberg, wanted

the bill to apply to negro chuffeurs, but the house refused by a vote of 60 to 43 allow it to do so.

To reduce the bill to an absurdity, Mr. Rittenburg, of Charleston, offered an amendment prohibiting farmers to hire negro laborers, which the house voted down.

The Lee amendment providing "that, the provisions of this bill shall also apply to the intimacy of the races in houses of ill repute" was passed by a vote of 100 to 0.

By a vote of 53 to 46 the house refused to agree to the Liles amendment prohibiting only white women, and not white men, from teaching in negro schools.

The house adopted the amendment offered by Mr. Whitley prohibiting white nurses from acting in this capacity in negro hospitals.

Then the bill was passed to third reading, after which the house adjourned until 10 o'clock tomorrow.

WILSON'S MEXICAN POLICY CRITICIZED

Relations of U. S. With Great Britain Over Canal Tolls and Japanese Controversy Discussed.

London, Jan. 29.—Relations of the United States with Great Britain over Panama canal tolls; the controversy between Washington and Tokio over the California land ownership legislation, and President Wilson's Mexican policy are subjects of lengthy dispatches today from British correspondents in Washington, but there is a singular lack of editorial comment on these questions. The Pall-Mall Gazette is the only newspaper to mention Mexico editorially. It says:

"President Wilson has laid himself open to a charge of having chalked up 'No Huerta' and then run away. It is a position that becomes worse for the prestige of the Washington government every day on which nothing happens."

"Financiers here interested in Mexico are becoming impatient at the lack of action shown by President Wilson. A meeting of the Mexican section of the London chamber of commerce is to be called to adopt the circular asking members for their views as to whether it would be advisable for Great Britain to join with France and Germany in asking President Wilson to take some steps to adjust the financial position of Mexico."

The summons sent to Sir Lionel Carden, British minister to Mexico, to come to London for a conference has created no surprise here as it was announced on January 5 that this would be the first step toward his transfer to Brazil. The six months for which he was appointed to Mexico expires in February.

Hope for Settlement.

Tokio, Jan. 29.—Hopes are expressed in official circles today that a basis of understanding on the alien land ownership question will be found by the United States and Japanese governments which are both actively seeking a solution. The chief concern at present seems to be over future legislation in America. It was said any additional enactments unfavorable to Japanese would be considered a serious menace to the traditional friendship of the two countries.

COL. GOETHALS MADE GOVERNOR OF PANAMA

Permanent Government in the Canal Zone is Made Effective April 1. Order Signed by Wilson.

Washington, Jan. 28.—Permanent government in the Panama Canal zone with Colonel George W. Goethals as first civil governor, will be established April 1. An executive order to this effect was signed by President Wilson today.

The new governor will eliminate the commission now in charge of the zone. Members of the commission are to be retained however until the opening of the canal, as a committee in charge of the arrangements for the celebration of the opening.

The President's order creates these departments: Operation and maintenance, purchasing department, supply department, accounting department health department and an executive secretary.

These departments will be manned as follows: Maintenance army engineer officer; transportation, navy officer; electrical engineer army officer; captain of the terminal ports, naval officers; superintendent of shops and dry docks naval constructor; chief health officer, army medical officer; superintendent of hospital army medical officer; chief of quarantine division office of the public health bureau; chief quartermaster, army officer.

The nomination of Colonel Goethals to be governor of the canal zone will be sent to the senate in a few days. Official notification of his selection was cabled to Colonel Goethals at Panama. Secretary Harrison, who personally told the colonel last summer that he would be made the first governor, said he was confident there would be no question about acceptance. The change in title will mean a loss of \$5,000 a year to the head of the zone, as the governor's salary will be \$10,000, and he now receives \$15,000 as chairman of the commission.

ASSERTS NATION IS RULED BY JUDGES

Justice Clark Warns His Fellow Jurists.

ADDRESS AT COOPER UNION

Said Jurists Should Take Heed Lest Their Power Prove Their Own Undoing.

New York, Jan. 27.—Declaring that all the powers of government, both federal and state, lie a t t h e feet of "judicial oligarchy," composed of the lawyers of the United States Chief Justice Walter Clark, of the North Carolina supreme court speaking at Cooper Union tonight, warned his fellow-jurists throughout the country to take heed lest their power prove their own undoing. Discussing "Government by Judges," Justice Clark said:

"It has been said that contented people have no annals. The present unrest among the people, strange as it may seem is one of the best signs of the times. When people are content they either are ignorant of better conditions or hopelessness of attaining them."

CONTROL IN HANDS OF FEW.

"In this country, as in all countries the control of the government is in the hands of the few. We have learned that the form of government amounts to little. The real question is, 'Where does the control of government reside?'"

"In 1776 we issued a declaration proclaiming the rights of mankind and their equality and freedom. And then the champion of government by the few quietly but effectively took control of the government."

"The overwhelming preponderance of the judiciary was unexpectedly created in 1803 by a decision of the supreme court of the United States without a line in the constitution to authorize it, when that body assumed their right to veto any act of congress they chose to hold unconstitutional."

BOON TO SPECIAL INTERESTS.

"This doctrine was promptly seized upon as soon by the special interests and by all who believed at heart in the government of the many for the benefit of the few. It practically in every state in the Union. Whenever any progressive statute has not been in accord with the economic views entered by the courts, they have generally exercised their power to declare such statute unconstitutional because it was 'due process of law.'"

Justice Clark said that if the constitution really had given judges the right to set aside a statute, it would have given the legislative branch the same power in the case of an executive veto. "However plausible," he continued, "the arguments in favor of judicial supremacy, its friends can point to a line in the constitution which confers it."

In warning his brother judges against overstepping their authority, the speaker declared that "Mr. Justice Harlan has well said: 'When the American people come to the conclusion that the judiciary of this land is usurping to itself the functions of the legislative department of the government we will find trouble. Nine millions of people—all sorts of people—are not going to submit to the usurpation by the judiciary of the functions of other departments of the government, and the power on its part to declare what is the public policy of the United States.'"

SHELBY M. CULLOM, STATESMAN, DEAD

Former Senator and Veteran in the Public Service Succumbs to Illness.

Washington, Jan. 28.—Former Senator Shelby M. Cullom of Illinois died here today after an illness of more than a week during which he hovered between life and death. The Senate adjourned for the day as a mark of respect to the memory of the former Senator when his death was announced by Senator Sherman.

PUBLIC FUNERAL.

Springfield, Ill., Jan. 28.—When informed today of the death in Washington of former Senator Shelby M. Cullom Gov. Edward F. Dunne issued a statement in which he declared Senator Cullom passed through the fiery ordeal of holding public office for 50 years without ever having been accused of enriching himself in public life and died comparatively poor. The Governor urged the honor of a public funeral from the officials and citizens of Illinois, and telegraphed his condolences to Miss Victoria Fisher, a relative of Senator Cullom at Washington suggesting that he be given a public funeral in Illinois.

Funeral services for Senator Cullom will be held in this city Saturday afternoon in the State House. The obsequies will be conducted by the Rev. Donald MacLeod, of the First Presbyterian Church, formerly of Washington, D. C. Memorial addresses will be made by United Senator Lawrence Y. Sherman and Governor Dunne.

The body will lie in state before the funeral, in the State House.

COMMITTEE BEGINS WORK ON TRUST BILLS

Senate Committee Perfecting the Interstate Commission Bill.

THE HEARINGS BEGIN.

House Judiciary Committee Will Have Hearings on the Various Measures.

Washington, Jan. 28.—Perfection of the Interstate Trade Commission bill, introduced in the Senate and House last week as the first of the anti-trust legislative measures of the Administration, was begun today by the Senate Committee on Interstate Commerce. It was determined at the outset that no public hearings, other than those to be held by the House committees would be necessary.

An amendment proposed today would limit, to a certain extent, the publicity feature of the measure by prescribing particularly that no trade secrets, submitted to the commission by corporations should be made. As the bill stands now, all information concerning the business of corporations is required to be made a matter of public record. Another amendment will be proposed later to enlarge the powers and scope of the commission.

Hearings before the House Judiciary committee will begin tomorrow on the various bills proposed to supplement the Sherman act. Representative Clayton, the chairman today asked Representative Stanley of Kentucky, Henry of Texas, (Democrats) and Lenroot of Wisconsin (Republican), who are not members of the committee, to appear at the hearing. All are particularly interested in trust legislation and will suggest amendments to perfect the bills tentatively drafted. Commissioner Davies of the Federal Bureau of Corporations, who under the Clayton Interstate Trade Commission bill, would become chairman of the new board, and whose bureau would be merged with the commission, has been asked by Representative Adamson to appear before the Interstate Commerce commission Friday to discuss the proposed commission and the regulation of railway securities.

There was an informal conference today between Representative Clayton, Floyd Carlin of the Judiciary Committee, and Samuel Undermyer of New York, regarding the three bills before the Judiciary committee relating to amendments to the Sherman anti-trust law. Mr. Undermyer had a number of suggestions to make regarding the legislation to be framed by the committee. Representative Henry, who also was conferred with Mr. Undermyer will discuss with the Judiciary Committee his bill to amend the Sherman law by defining explicitly what constitutes monopoly or conspiracy in restraint of trade, providing prison terms for violators and by adding an adaptation of a Texas law to provide that the Sherman act shall not apply "to members of organizations not conducted for profit and without capital stock, or to agricultural products or livestock, in the hands of the producer or raiser."

Representative Stanley and Lenroot also have bills amending the Sherman law on the docket of the committee on which they will speak. Some opposition is developing to the salaries proposed in the Interstate Trade Commission bill which would give each of the five members of the commission \$10,000 annually and the secretary \$5,000. An amendment also will be proposed to limit the membership of the commission to three members.

WILL PUT PEOPLE IN SADDLE.

Secretary Bryan Speaks of Presidential Primaries.

Washington, Jan. 28.—Secretary Bryan today told the Common Council Club here that adoption of the presidential primary plan would mark the completion of the movement by which the people are coming into absolute control of the naming of their President. Never again, he declared, would Wall street have anything to say in the election of a President.

Mr. Bryan denounced senate rules allowing unlimited debate, referring to them as the "last stand of the reactionaries," which permitted a few to do what they ought not to do and prevented a majority from doing what ought to be done.

Louis D. Brandeis told the club that the government ought to furnish to the small industrial, commercial and business men of the country information to enable them to conduct their affairs with the same scientific management employed by the big business man or concern with large capital. This, he asserted, would be the first step in progressive democracy.

French Cruiser Going.

Paris, Jan. 28.—The French cruiser Conde now in Mexican waters was today placed at the disposal of the French consul at Port au Prince, Haiti, where the situation caused by the revolution and the flight of President Mochel Oreste is regarded as serious.

SUFFRAGETTES ACTIVE

Attempt to Break Into a Cabinet Meeting.

London, Jan. 28.—Militant suffragettes today made a bold attempt to break into a meeting of the British Cabinet Council sitting at the official residence of Premier Asquith, in Downing street.

An automobile belonging to the Women's Social and Political Union, with a woman chauffeur at the wheel and filled with suffragettes dashed into Downing street before police stationed outside the Asquith residence realized what was going on.

When the driver refused to obey the police order to retire from the street, the entire party of women was placed under arrest and taken in their car to Scotland Yard. The women's automobile was decorated with placards protesting against the forcible feeding of suffragette prisoners and demanding that the cabinet cease the "torture of women in English jails."

When the women were arraigned three of them refused to give their names and were entered in the charge book under numbers. The other one, who had acted as driver, said she was Miss Virtue and was the private secretary of "General" Mrs. Flora Drummond, a prominent suffragette. Miss Virtue is said to be engaged to marry a Montana rancher as soon as women have secured the vote in Great Britain. All the prisoners were bound over to be of good behavior for six months.

SPOKANE MAN IS HELD FOR RANSOM

Blackmailers Demand \$75,000 For Release of Francis Lewis Clark.

Los Angeles, Jan. 29.—According to an anonymous letter received by a morning paper, Francis Lewis Clark, the Spokane millionaire, is held for ransom of \$75,000 by "blackmailers" in or near this city. Clark disappeared from Santa Barbara, January 17, after seeing his wife off on a train, and was thought to have committed suicide by throwing himself into the ocean. The letter demanding the ransom for Clark's release was addressed to "Chief of Police" and dated Los Angeles, January 27.

It said: "We are holding millionaire Clark of ransom of \$75,000. State in Examiner if his folks will pay it or not. He is well taken care of."

"Yours, The Blackmailers." Across the top of the letter was written "Notice: Make prompt reply in the papers as he is very anxious to get out."

Those who knew Clark intimately are said to take the letter seriously. Mrs. Clark today dictated the following reply to the note: "I want to communicate with you more fully concerning my husband's disappearance. I want to know where the money is to be paid and in what manner. I want to know the motive that inspired the supposed kidnapping. If my husband is held for ransom I will entertain the proposition contained in the letter addressed to Chief Sebastian, but before I definitely commit myself I must know more."

Mrs. Clark did not state whether she believed her husband was actually held by kidnappers.

While the local police admitted that he was willing to waive his rights an effort was made to trace the writer. Failing in this, it was announced negotiations would be opened for the return of Clark if he is held captive.

MARINES HOLDING HAITIAN CAPITAL

Americans and Germans Guarding Foreign Interests—Another Warship Racing to Scene.

Washington, Jan. 28.—Under forced draft the battleship South Carolina today is rushing across the windward passage for Port au Prince, Haiti where her bluejackets and marines will join with forces of the armored cruiser Montana for the protection of Americans and other foreigners.

Left without government by the sudden abdication of President Oreste who fled to a German warship yesterday the island republic is threatened with anarchy by its latest revolution.

Capt. Russel, of the South Carolina will take whatever measures he deems necessary for the protection of foreigners and their property.

Strong Forces Landed.

Port au Prince, Haiti, Jan. 28.—American sailors from the cruiser Montana were today on guard at the American legation, the cable station and the French hospital. German blue jackets and marines were placed on duty at the other foreign legations and at the German stores.

Large landing parties were sent ashore yesterday when President Michel Oreste fled for refuge to the German cruiser Vineta after fighting, broke out in the capital.

Fusillades continued in all quarters of the city throughout the night, and there were numerous attempts at pillage of houses and stores, but these were quickly suppressed. The city was quiet today.

THE SENATE FAVORS PRIMARY REFORM

Senators Sharpe and Mars Opposed the Bill.

AN AGREEMENT POSSIBLE.

Question Referred to Special Committee, Which is to Report at Earliest Possible Moment.

Columbia, Jan. 28.—There is an excellent chance of the senate's agreeing upon a bill to safeguard the primary and to pass the bill at this session. After a prolonged debate this morning, during which there developed much opposition to the Nicholson bill but a general agreement as to the need of legislation of some kind and simply and well defined if possible, Senator Crouch, of Saluda, with Senator Nicholson consenting moved that the whole question be referred to a special committee consisting of Senators Nicholson, McLaurin, Sullivan, Sharpe and Clifton, to draft a substitute measure which would include the provisions favored by the senators and exclude the provisions to which there had been objection. The Crouch motion carried and the special committee is to report back to the senate at the earliest possible moment.

Senator Nicholson said that he believed that the whole question resolved itself into an elimination of the features of his bill upon which the senators could not agree. This statement was in keeping with the previous statements of the senator to the effect that his only purpose was to get a bill passed that would safeguard the primary; that he did not intend to insist upon the passage of his particular bill if something better could be had.

AGREEMENT POSSIBLE.

Senators Clifton and Crouch said they thought that it was evident from what had been said in the debate that an agreement could be reached. "No man need fear voting for publicity, honesty and integrity in the primary," said Senator Clifton. "We want a preventive bill, one that will prevent fraud. The opportunity to commit fraud should be prevented."

Senator Sharpe moved to strike out the enacting words of the Nicholson bill, to get it, as he said squarely before the senate. The senator from Lexington opposed the bill on the ground that it would deprive numbers of voters of the suffrage by complicating the rules of the primary. He said that he did not think that there had been any great amount of fraud committed.

SEES NO NECESSITY.

"I don't see the necessity for a bill of this kind," said the senator from Abbeville. He said that the bill would have the effect of cutting out many a good man from voting.

Senator Young replied to these senators by saying that the constitution of the state did not allow every Tom, Dick and Harry to vote, regardless of qualification. He said that the constitution did not allow every man to vote for bond issues. Senator Young attacked the Nicholson bill as being too weak. It was his opinion that the general laws should be made to apply to the primary, and the senator offered an amendment to provide for this.

"We are afraid to get up and state bare-handed and exactly what we honestly believe to be for the best interests of the state," cried Senator Young, "and so long as we indulge that cowardice so long will these conditions prevail in this state."

Senator Stuckey opposed the bill, saying that he was against enacting any change in the existing primary rules.

Senator McLaurin opposed the bill. He thought it dangerous ground for the general assembly to go upon. He thought the general assembly should simply provide criminal penalty for the breaking of the rules made by the democratic party. The restrictions around the general election had been placed there because of the negro, he said, and the white vote should not be restricted in the primary. Senator McLaurin said that he thought the Nicholson bill was as good as could be drawn up, but thought the primary provisions should be enacted by the party and not by the general assembly.

Senator Christensen said that there was nothing in the party rules, or in the constitution to prevent the padding of club rolls.

Senator Sullivan said he hoped the senators would get together and pass a short bill to correct existing evils. Senator Appelt suggested getting together during the afternoon and drafting a substitute bill that would correct the evils of enrollment and representation.

Senator Straff opposed the bill. Senator Black opposed the bill. He favored enforcement of existing laws.

Old Dominion Steamer Sinks.

The Old Dominion steamship Monroe, outward bound for New York, sank off Hog Island in collision with the Nantuxet of the Merchant & Marine Transportation Company. The Nantuxet was badly damaged. Forty-nine lives are reported lost.—Reported by Mr. J. M. Madra.